

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 1:13-cr-24
v.	)	
	)	COLLIER / LEE
JERMICHAEL DEWAIN WILLIAMS	)	

**ORDER**

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:

(1) grant Defendant's motion to withdraw his not guilty plea to Count Two of the two count Indictment (2) accept Defendant's plea of guilty to the lesser included offense of the charge in Count Two, that is of using and carrying a firearm during and in relation to a crime of violence that may be prosecuted in a court of the United States, that is, Hobbs Act robbery, in violation of 18 U.S.C. § 924(c)(1)(A); (3) adjudicate Defendant guilty of the lesser included offense of the charge in Count Two, that is of using and carrying a firearm during and in relation to a crime of violence that may be prosecuted in a court of the United States, that is, Hobbs Act robbery, in violation of 18 U.S.C. § 924(c)(1)(A); (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) find Defendant shall remain in custody until sentencing in this matter (Court File No. 34). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 34) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count Two of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to the lesser included offense of the charge in Count Two,

that is of using and carrying a firearm during and in relation to a crime of violence that may be prosecuted in a court of the United States, that is, Hobbs Act robbery, in violation of 18 U.S.C. § 924(c)(1)(A) is **ACCEPTED**;

- (3) Defendant is hereby **ADJUDGED** guilty of the lesser included offense of the charge in Count Two, that is of using and carrying a firearm during and in relation to a crime of violence that may be prosecuted in a court of the United States, that is, Hobbs Act robbery, in violation of 18 U.S.C. § 924(c)(1)(A);
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Thursday, January 23, 2014 at 9:00 a.m. [EASTERN]** before the Honorable Curtis L. Collier.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**